

# PUBLIC UNIVERSITIES AND AGENCIES

*\* please note that the "annual information Report" due on November 11, 2011, will be made available sometime after January 15, 2011.*

*\*late penalties DO NOT apply*

*\*registration fees are not required to be paid*

- ▶ If an expenditure made by a public university or agency in furtherance of its legislative agenda which expenditure would be reportable by any other registered lobbyist under IC 2-7, the public university or agency must report the total expenditures incurred on each "legislative person" if that amount is fifty dollars (\$50) or more in one (1) day, or together more than two-hundred-fifty dollars (\$250) during the calendar year.
- ▶ Beginning on November 30, 2011, an annual information report is to be filed by Public Universities and Agencies, which covers the period from November 1 of the previous year through October 31 of the year in which the report is filed.
- ▶ The Public University or Agency is called an "Employer"<sup>1</sup> under the new lobby law, and those whom are paid to lobby for such entities are called "legislative liaison."
- ▶ Public Universities and Agencies must file annual information reports with the ILRC, even if no lobbying efforts are made or no lobbying expenditures are incurred. In other words, these entities have a "*per se*" duty to report annually, regardless of whether the entity actually spend money or time lobbying the Indiana Legislature.
- ▶ If no lobbying is done by the public agency or public university, it will file a standard form with the ILRC in which the responsible person for that entity verifies under oath that no expenditures were made for the purpose of influencing legislative action in Indiana.
- ▶ In determining whether "expenditures were incurred for the purpose of influencing legislative action", the entity must consider the statutory definitions of what constitutes "lobbying" or a "gift" or an "expenditure", which definitions apply to any other registered lobbyist. The entity should also consider the historic guidance and interpretations issued by the ILRC in determining whether it has met the definition of "lobbying", thereby triggering a duty to disclosure expenditures relating to the lobbying efforts.